

TULALIP TRIBAL COURT

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MEMORANDUM

TO: BOARD OF DIRECTORS; NICS; MIKE TAYLOR, RESERVATION ATTORNEY; PAULA CORTEZ, GENERAL MANAGER; SHERYL FRYBERG, FAMILY SERVICES; CHIEF GOSS, TULALIP POLICE DEPARTMENT; JANICE ELLIS AND TAMMY BEATTY, PROSECUTOR'S OFFICE; MARTIN NAPEAHI, ADMINISTRATION; MARK HATCH, TGA; MOLLY COHEN, DEFENSE CLINIC.

FROM: TULALIP TRIBAL COURT JUDGES

SUBJECT: THIRD QUARTER REPORT--2010

DATE: NOVEMBER 10, 2010

This report covers the Third Quarter of 2010, from July through September.

I. Quarterly Statistics.

TULALIP TRIBAL COURT			
ACTIVITY REPORT FOR THE PERIOD			
JULY THROUGH SEPTEMBER 2010			
Types of Cases	Filed	Disposed	Total Pending
Criminal Involving Alcohol	7	16	25
Criminal Involving Drugs	10	12	24
Criminal Involving Domestic Violence	12	15	26
Criminal Involving Fishing	16	8	18
Criminal General (not in above categories)	70	64	164
TOTAL CRIMINAL CASES*	120	116	264
TRAFFIC TOTALS:	219	364	179
Civil Anti-Harassment	6	5	28
Child Support**	0	0	97
Civil Child Custody	10	5	194
Civil Divorce	8	5	100
Civil Employment	7	12	28
Civil Gaming	5	6	24
Civil General	22	3	430
Civil Guardianship	14	5	198
Civil Paternity	0	0	13
Civil Restraining Order	14	8	87
Civil Youth in Need of Care	15	18	213
TOTAL CIVIL CASES	116	69	1573
Total for Quarter***	455	539	2016

- * **Criminal & Traffic totals Separate for 2010**
- ** **New Category for 2008**
- *** **Other Types of Cases included in Total Numbers**

Narrative of Statistics: The third quarter of 2010 continues to show the increase in traffic. In the first 9 months of 2010, 773 traffic have been filed and only 643 were filed for all of 2009. This already almost a 20% increase in filings just by the third quarter. This has also substantially increased the income from the court. We have already ordered and collected almost twice the amount as was collected in 2009. The third quarter continues to show a substantial increase in criminal filings, from 106 new cases in the first 2 quarters to 120 cases filed for the third quarter. This is more than double the number of new cases filed in 2010 in just one quarter. However, the number of filings remains substantially similar to the overall 2009 total filings. The total number of new civil cases being filed remains about the same as 2009, with 402 new cases filed. This should keep us on track with the 517 cases filed in 2009. In the second quarter the Judges heard 2267 hearings for a six month total of 4696 hearings. The third quarter had the highest number of hearings yet at Tulalip Tribal Court at 2715 hearings in three months. That makes the total for 3 quarters at 7411 hearings. That keeps us on track to hold about 9500 hearings for 2010 which is about 1000 more hearings than in 2009.

II. Narrative of Activities:

- A. **COURT ACTIVITIES NOT REFLECTED IN STATISTICS:**
 - 1. **Wellness Court:** The Court continues to process and accept new clients. A total of 3 clients remain in Wellness Court, with one client in Stage 3 and one client graduating after successful completion of Wellness Court.
 - 2. **Elders Panel:** The Elder's Panel continues to meet at least twice a month on Monday mornings. The number of clients for Elders Panel have substantially increased. Currently they are serving approximately 10 active clients this quarter. The Elders are proposing to expand their services to include "at-risk" young persons on a voluntary basis and the Court is exploring the development of rules for such a program.
- B. **MEETINGS AND TRAININGS:**
 - 1. **Law and Justice Committee:** The Police department moved this quarter to the south lot. The Court Director completed a facility survey and presented a preliminary proposal outlining the needs of the Court this quarter. The Director continues to gather information, coordinate staff and grants in planning for a new facility. This will continue throughout 2010. In addition, the Court continues to be involved in implementation of TLOA and updating the tribal codes to exercise the increased jurisdiction, collecting data for TLOA compliance and general planning for the increased jurisdiction. The Court and Director have also had meetings regarding a civil legal aid and criminal defense grant obtained by the Tribe.

2. Court Staff Meetings: The Director has obtained funding and expects to hire a new clerk this quarter.
3. Juvenile Diversion Panel: Judge Bass continues to be involved with the implementation of a Tulalip Community Panel for tribal youth on diversion. They met with approximately 6 youth this quarter and meet once a month at the Courthouse.
4. Judge Pouley presented the Alternative Sentencing Program at the CEDARS meeting this quarter. She also participated in the Washington State Bar Association's Leadership Institute in August. She was a facilitator for the Office of Victims of Crime Human Trafficking Conference in Washington D.C. and was a facilitator for the DOJ's Violence Against Women Act Consultation in Spokane. She was a panelist at the University of Washington's annual conference on the new TLOA. Judge Bass and Jim Furchert were presenters at the Snohomish County Bar Association's training on Indian Law in September.

C. PROJECTS IN PLANNING AND DEVELOPMENT:

1. Jury Planning: The Court is continuing to monitor and improve its jury system.
2. Federal Law and Order Act: The Court presented a summary of the TLOA provision in September and is preparing to implement the extended jurisdiction in 2011 with Board approval. This will require revision of Ordinance 49 and the development of new procedures for hearing cases where a client could be sentenced to over 1 year in jail. The probation officer attended a TLOA conference this quarter.
3. Federal consultation: A variety of federal departments are seeking tribal consultation and the Court continues to provide input where appropriate.
4. Court Staff: The Court Director has arranged and is planning on on-site week long court clerk training for October. Plans continue to develop to tailor the training specifically to Tulalip. The Director also is planning and assisting in the implementation of both the civil legal aid and criminal defense grants that have been obtained by the Tribe. She also is beginning the planning for a domestic violence grant and continues to monitor and report on the Court Improvement grant.

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